

Docket No. 030157

Serial No. 10/792,062

REMARKS/ARGUMENTS

1. Claims 1-43 are pending in the application.

2. Summary of the Examiner's rejections.

The Examiner made the following rejections in the present Office Action. Claims 1, 5-9, 11-12, 14, 16-18, 21-25, 29-30, 31, 34-36, 42-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Papadimitriou, et al. (Papadimitriou), U.S. Patent No. 6,385,458. Claims 13, 15 and 31 are rejected under 35 U.S.C 103 (a) as being unpatentable over Papadimitriou. Claims 2-4, and 19-20, 26-27, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Papadimitriou in view of Horn et al. (Horn), U.S. Patent No. 6,064,741. Claims 10 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Papadimitriou in view of McDonnell, et al. (McDonnell), Pub. No. 2002/0004399. Claims 28 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Papadimitriou in view of DeLoach, et al. (DeLoach), Pub. No. 2003/0125044. Claims 38-40 are rejected under 35 U.S.C 103(a) as being unpatentable over Papadimitriou in view of Haverinen, et al., (Haverinen), Pub. No. 2003/0119481.

3. Applicant's argument distinguishing Papadimitriou over the present amended claims.

Generally, each of the Examiner's rejections relies on Papadimitriou, et al. (Papadimitriou), U.S. Patent No. 6,385,458, alone or in combination with another reference. The Applicant amended each of independent claims 1, 18, 22, 23, 24, 29, 30, 35, 36, and 43 to distinguish over Papadimitriou. Therefore, the Applicant submits that all of the claims are now allowable over Papadimitriou.

More particularly, each of independent claims 1, 18, 22, 23, 24, 29, 30, 35, 36, and 43 are amended to include, among other things:

"performing location determination via a first set of at least one network entity to obtain location information for a mobile station responsive to a request for the location information when the location information is undesirable; and

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performing location disclosure via a second set of at least one network entity to provide the location information for the mobile station responsive to the request for the location information when the location information is desirable."

Support for this amendment may be found in the specification, for example, on page 2, par. 1003, page 3, par. 1008, page 6, par. 1028, and in the Abstract.

By contrast, Papadimitriou teaches, with reference to FIG. 2 and at col. 5, line 56 to col. 6, line 56, that location reporting dependent is on location estimation for each request for location information. The present application discloses on page 2, par. 1003 the disadvantages associated with such a dependent relationship.

At col. 5, line 56, Papadimitriou teaches: "At some point, a user will request the location of the terminal device. The LCS algorithm 200 will receive this request in a location request step 215." (emphasis added) (i.e., a user's request for a location estimate)

At col. 6, line 23, Papadimitriou teaches: "In the GMLC location estimate request step 235, a GMLC receives a location estimation request from a user and recognizes that the device being sought is currently in its network. Accordingly, the GMLC then sends a request for location information towards the terminal device, and more specifically, towards the LMUs servicing the terminal device being sought. While the request for a location estimation is being sent towards the LMU, it will be processed." (i.e., a system request for a location estimate)

At col. 6, line 41, Papadimitriou teaches: "Next, the LMUs servicing the terminal device use the priority information generated in the GMLC location estimate request step 235 to estimate the location of the terminal device to a predetermined precision in a location estimate step 245." (i.e., determination of the location estimate)

At col., 6, line 50, Papadimitriou teaches: "After the LMUs estimate the location of the terminal device, the LMUs return the location estimate to the GMLC in a LMU response step 250. (i.e., providing the determined location estimate)

At col., 6, line 52, Papadimitriou teaches: Then, in a report location estimate step 255, the GMLC sends the location estimate to the user who requested the

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location estimate, and the LCS algorithm 200 terminates.” (emphasis added) (i.e., reporting the determined location estimate)

Throughout the LCS algorithm 200, shown and described with reference to FIG. 2, Papadimitriou teaches, from a forward processing point of view, that: the user's request for a location estimate causes the system to request, determine, and provide the location estimate, which causes the system to report the location estimate to the user who requested the location estimate.

Papadimitriou teaches, from an implied reverse processing point of view, that: the reporting of the location estimate to the user who requested the location estimate is integral to and dependent on the system requesting, determining and providing the location estimate, which, in turn, is integral to and dependent on the user's request for a location estimate.

In both the forward and implied reverse processing points of view, Papadimitriou teaches that each step of the LCS algorithm 200 are integrated with and dependent on a prior step. Further, Papadimitriou's teaching, at col., 6, line 52, that the “a user will request the location of the terminal device,” at col. 5, line 56, and that “in a report location estimate step 255, the GMLC sends the location estimate to the user who requested the location estimate ...,” (emphasis added) highlights the full circle integration and dependency from a requesting user back to the same user who requested the location estimate.

Therefore, Papadimitriou while teaches that location determination is performed for each request for location information before location disclosure, the present amended claims claim location determination is performed responsive to a request for the location information when the location information is undesirable, and location disclosure responsive to the request for the location information when the location information is desirable.

The present application discloses advantages, associated with location disclosure being separate and independent from location determination, for example:

- a) conserving system resources,

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- b) subsequent location disclosure to one or more applications,
- c) for a roaming mobile station, location determination may be performed via a serving network and location disclosure may be performed via a home network, and
- d) the ability to redesign each of the location disclosure and location determination functions, without affecting the other.

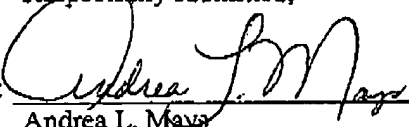
No new matter has been added by this amendment.

In view of the foregoing, Applicant submits that all pending claims are in condition for allowance. Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

If there are any other fees due in connection with the filing of the response, please charge the fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case.

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